

October 11, 2022

VIA ECF

The Honorable Rachel P. Kovner
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Campos v. Kijakazi*, Case No. 21-cv-05143 (RPK)(VMS)

Dear Judge Kovner,

We write on behalf of Plaintiffs and Defendant (collectively, “the Parties”) in the above-referenced action to provide the Court with a joint status report pursuant to Your Honor’s Order dated September 13, 2022.

We are delighted to report that the Parties have reached agreement in principle to resolve this action. Upon approval of a settlement, Plaintiffs will dismiss this action. Specifically, the Parties have agreed that SSA will provide certain relief for Putative Class members assessed overpayments from March through September 2020, as memorialized in an email from SSA’s counsel to Plaintiffs’ counsel on September 27, 2022, and confirmed in Plaintiffs’ counsel’s letter to SSA’s counsel of October 4, 2022. (The Parties continue to explore whether the settlement will provide additional relief to Putative Class members assessed overpayments *after* September 2020, but this additional relief will affect only the scope of the settlement and releases; it will not affect *whether* this action will settle.) The Parties are happy to provide details on the current agreement in principle either to the Court or to Magistrate Judge Scanlon, if that would be helpful at this time.

The Parties are actively working to finalize and memorialize all terms of the settlement and expect to agree upon a final stipulation of settlement shortly.

Accordingly, the Parties respectfully submit that there is no need for the Court to adjudicate Plaintiffs’ pending motion for a preliminary injunction and provisional class certification, and thus there is no need to hold argument on that motion. The Parties respectfully request that the Court hold the motion in abeyance, and that, by December 12, 2022 the Parties will execute a class-wide stipulation of settlement; (2) Plaintiffs will submit a motion for preliminary approval of that settlement; and (3) Plaintiffs will withdraw the pending motions without prejudice.

The Parties thank the Court for its ongoing assistance in this matter.

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Respectfully submitted,

/s/ Carmela T. Romeo

Carmela T. Romeo